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Attorneys for Plaintiff
Adobe Systems Incorporated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

Adobe Systems Incorporated,

Plaintiff,

V.

Brandon Roberts and Does 1 – 10, inclusive,

Defendants.

Case No. CV 08-934 SI

REQUEST FOR ENTRY OF DEFAULT; DECLARATION IN SUPPORT

Plaintiff Adobe Systems Incorporated, (“Plaintiff”) hereby requests that the Clerk of the above-entitled Court enter the default in this matter against Defendant Brandon Roberts (“Defendant”) on the grounds that the Defendant has failed to respond to the Complaint in this action within the time proscribed by the Federal Rules of Civil Procedure.

Plaintiff served the Summons and Complaint on Defendant on or about February 23, 2008.

Proof of service was previously filed with the Court on or about April 1, 2008.

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DECLARATION OF ANNIE S. WANG

I, ANNIE S. WANG, declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of California and the United States District Court for the Northern District of California. I am an attorney for Plaintiff Adobe Systems Incorporated, ("Plaintiff") in an action styled Adobe Systems Incorporated v. Brandon Roberts, et al. I make this Declaration in support of Plaintiff's request that the Court Clerk enter default in this matter against Defendant Brandon Roberts ("Defendant"). Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify as follows:

2. I am informed and believe the Defendant was served with Summons and Complaint on or about February 23, 2008.

3. I am informed and believe that the process server was informed that Defendant was not a member of the United States military during the service of the Summons and Complaint, which occurred on or about February 23, 2008. Based upon this information and my conversations with Defendant, I am informed and believe Defendant is not currently serving in the military.

4. On or about April 1, 2008, Plaintiff filed the proof of service on Defendant with the Court.

5. I am informed and believe Defendant contacted my office on or about February 22, 2008. Thereafter the Parties discussed resolution of this matter for several months but no settlement was ever finalized.

6. On or about April 25, 2008, I am informed and believe my office sent to Defendant a letter regarding the filing of this Request for Entry of Default. A true and correct copy of the letter is attached hereto as Exhibit A. I informed Defendant of the filing of this request on several other occasions since February 22, 2008.

7. I am unaware of any response to the Complaint in this action within the time proscribed by the Federal Rules of Civil Procedure, and have confirmed this on PACER on May 20, 2008. I am informed and believe that there has been no response to the Complaint from Defendant.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the United States of America.

Executed this 20th day of May, 2008, at Glendale, California.


ANNIE S. WANG

Exhibit A

LAW OFFICES
J. ANDREW COOMBS
A PROFESSIONAL CORPORATION
517 EAST WILSON AVENUE, SUITE 202
GLENDALE, CALIFORNIA 91206-5902
TELEPHONE (818) 500-3200
FACSIMILE (818) 500-3201

April 25, 2008

Via First Class Mail

And Email

trent39@gmail.com

Mr. Brandon Roberts
633 Ramblewood Dr.
Canyon Lake, Texas 78133

Re: **Adobe Systems Incorporated v. Roberts, et al.**
Case No.: CV 08-934 SI


Dear Mr. Roberts:

Our records indicate that you were served on or about February 23, 2008, and pursuant to the stipulation, you were required to file an Answer to the Complaint on or before April 23, 2008.

As there have been no additional extensions of time to respond, you are currently in technical default. Accordingly, we will request an entry of default against you on April 30, 2008, should we not receive an Answer to the Complaint or you not contact us by close of business April 29, 2008.

This letter is not a complete statement of Adobe Systems Incorporated's rights in connection with this matter, and nothing contained herein constitutes an express or implied waiver of any rights, remedies or defenses in connection with this matter, all of which are expressly reserved.

Very truly yours,
J. Andrew Coombs, A P.C.



By: Katrina Bartolome
for Adobe Systems Incorporated

KB:bm

PROOF OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 E. Wilson Ave., Suite 202, Glendale, California 91206.

On May 20, 2008, I served on the interested parties in this action with the following:

REQUEST FOR ENTRY OF DEFAULT; DECLARATION IN SUPPORT

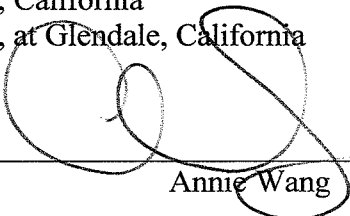
for the following civil action:

Adobe Systems Incorporated v. Brandon Roberts, et al.

by placing a true copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Brandon Roberts 633 Ramblewood Dr. Canyon Lake, Texas 78133	
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Place of Mailing: Glendale, California
Executed on May 20, 2008, at Glendale, California



Annie Wang